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ORIGINAL

March 1, 1993

Ms. Donna Searcy
Secretary
Federal Communications Commission
1919 M Street, NW, Room 222
Washington, DC 20554

Re: ET Docket No. 92-255 - RM 7903

Dear Ms. Searcy:

Enclosed please find the original and nine copies of the Reply Comments of the National Electrical Manufacturers Association in the above-referenced proceeding.

Should there be any questions concerning this filing, please do not hesitate to contact the undersigned.

Yours very sincerely,

Lawrence J. Movshin

LJM/att
Enclosures
cc (w/enc.): Julius Knapp
Richard B. Engelman

Before The
FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C. 20554I

In The Matter Of	)	
	)	
Amendment of Part 18 to	)	
Remove Unnecessary Regulations	)	**ET Docket No. 92-255**
Regarding Magnetic Resonance	)	RM-7903
Systems	)	
	)	

To: The Commission

REPLY COMMENTS
OF THE
NATIONAL ELECTRICAL MANUFACTURERS ASSOCIATION

The Magnetic Resonance Section of the National Electrical Manufacturers Association ("NEMA")[1/], by its attorneys and pursuant to Commission Rule §1.415 hereby responds to the Commission's Notice of Proposed Rulemaking in the above-referenced proceeding (FCC 92-492, released December 7, 1992)(the "NPRM"). As the Commission has properly noted in the NPRM, the economic benefits to be realized by removing the burden of unnecessary regulation from Magnetic Resonance systems far exceed

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1/ NEMA, headquartered in Washington, D.C., is the nation's leading U.S. organization representing and serving America's electroindustry companies, with more than 800 member companies. The Association's major activities include the development of domestic and international standards, statistical and market programs, government relations, and international trade. NEMA has been a regular participant in FCC proceedings of interest to various industry segments dealing with particular provisions of the Commission's Part 18 regulations. The Magnetic Resonance Section is dedicated to advancing the interests of those NEMA member companies who design, manufacture and market Magnetic Resonance Imaging components, devices and systems.

the minimal risk of interference that is posed by MR systems. NEMA therefore urges prompt action on the NPRM to exempt non-consumer magnetic resonance diagnostic systems from the technical standards and the reporting requirements of the Commission's rules.

In its "Petition for Rulemaking" (RM-7903) that initiated this proceeding, NEMA established that the cost of testing MR systems to determine their specific emanation levels would create substantial burdens on MR system manufacturers. As NEMA there noted, MR systems are typically installed in hospitals and health care facilities, in well shielded environments designed to protect the system from outside interference. This environment acts effectively to prevent the emanation of RF signals generated by the MR system to the environment outside of the system, where they could create objectionable interference to other devices or systems. The MR systems are designed for customized installations in each hospital or health care facility, and so testing in an "open field" environment or at the manufacturer's facility would prove little about their emanation characteristics. However, given the size and expense of setting up one of these systems, establishing such testing facilities (simply to prove the theoretical characteristics) would be an extremely costly and burdensome requirement with little to be gained from the results achieved. On the other hand, given the high ambient noise levels associated with most hospital environments[2/] and the generally

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2/ In truth, to get an accurate reading of an MR system's interference potential within such environment, virtually all

confined quarters in which MR systems are installed, user site testing becomes virtually impossible.

The NPRM represents the expeditious and appropriate response that NEMA, and the several other commenters, urged in pressing its Petition. The absence of any incidents of interference to communications caused by an MR system -- both prior to and since the filing of the Petition -- is excellent evidence of the ability of these systems to operate in their normal environment without creating interference to other licensed and unlicensed systems. Presented with similar circumstances in the past, the agency has previously been willing to exempt Part 18 devices from burdensome testing and reporting requirements. When it could be shown that these requirements provided little benefit by comparison to the burdens they imposed, and given that the devices under consideration have not proven to create objectionable interference, the Commission has appropriately tailored the level of regulatory requirements to the situation at hand.3/

MR systems have become a staple of medical diagnosis of a variety of illnesses and injuries, as this non-invasive technology is recognized as highly accurate and safe. Nevertheless, the risk of objectionable RF interference to other licensed and unlicensed radio devices remains minimal. The rising cost of health care is a major concern to the American consumer today, while the control of

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other RF generating devices within the proximity of the MR system would have to be shut down, an impossible situation in a health care facility.

3/ See e.g., the Commission's action in Docket 85-303 exemption medical ultrasonic equipment from most of the Part 18 requirements (1 FCC Rd 553)(1986).

such costs is a major policy objective of the Clinton administration. The public interest therefore mandates that the Commission's rules be modified as necessary to assure that they do not impose unnecessary economic costs on this critical segment of the health care industry.

An exemption from the testing and reporting requirements of the Part 18 regulations is entirely appropriate for MR Systems. The Commission can reasonably, and should, rely on its authority to require any operator of an MR system that may be creating objectionable interference to correct such problem as the appropriate protection mechanism for this industry. NEMA therefore urges swift adoption of the rules proposed in the NPRM.

Respectfully submitted,

THE NATIONAL ELECTRICAL MANUFACTURERS ASSOCIATION

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